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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
HILLERY, NATHAN	
ART UNIT	**PAPER NUMBER**
2176	

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/900,186	NARAHARA, KOUICHI	
	Examiner	Art Unit	
	Nathan Hillery	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 December 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3 and 52-83* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3 and 52-83* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 12/21/05.

2. Claims 1 – 3, 52 – 83 are pending in the case. Claims 1, 66, 82 and 83 are independent.

3. The rejection of claims 1 – 3, 52 – 83 under 35 U.S.C. 112, second paragraph as being unpatentable has been withdrawn as necessitated by amendment.

4. The rejection of claims 1 – 3, 52 – 83 under 35 U.S.C. 103(a) as being unpatentable has been withdrawn.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/23/05 has been entered.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1 – 3, 52 – 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brobst et al. (US 6061700 A) and further in view of IBM (NNRD 423111) and Miyashita (JP 08255255 A).

8. **Regarding independent claim 1**, Brobst et al. teach that *the method and apparatus of the present invention has particular applicability to formatting web pages on the Internet ... A user that wishes to access information on the Internet 170 typically has a computer workstation 200 that executes an application program known as a web browser 210. Under the control of web browser 210, workstation 200 sends a request for a web page over the Internet 170* (Column 2, lines 54 – 61), compare with **inputting document information composed of a plurality of elements, from a document information source** (*Internet*).

a. Brobst et al. do not explicitly teach **reading the blocks in said input document information; analyzing tags and elements in the document entity according to the rule defined by the document-type declaration to convert the document entity to a tree structure; evaluating a degree of significance for each element; adding a result of the evaluation to the tree structure; and generating the output document by reducing an information content of the input document information according to the result added to the tree structure**.

b. However, IBM teaches that *In the "Document Tree Generation" stage the Translation Engine tokenizes the page into a set of HTML elements (i.e. <applet ..>, <table>, </table>, etc.) Each element is then processed by the transform*

beans which registered to process them. Transform Beans generate tree nodes which are aggregated to yield a document tree. HTML documents which are not well formed will yield an "invalid tree", in which tags that are not nested properly will be indicated by "broken limbs" as well as fragmented tree nodes. Transform Beans consult the preference accessor to resolve Orion preferences. The HTML tags are coalesced with the preference information to yield an XML element which indicates the original HTML construct as well as the transformation bias indicated by the persistent preferences. Tree Nodes encapsulate the generated XML elements. All invalid trees must undergo the next processing stage, Well Formedness Conformance Mandate. The resulting valid tree represents a well-formed document (p 4, third and fourth paragraphs), compare with **reading the blocks in said input document information; analyzing tags and elements in the document entity according to the rule defined by the document-type declaration to convert the document entity to a tree structure**.

c. IBM also teaches that *the final stage of processing is to simply map valid document trees to well formed documents. Thus starting at the root node the tree is recursively traversed to yield a resulting document* (p 4, penultimate paragraph), compare with **generating the output document by reducing an information content of the input document information according to the result added to the tree structure**.

d. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Brobst et al. with the disclosure of IBM

because such a combination would provide the users of Brobst et al. with *a Trans-Proxy architecture designed to modify web content to accommodate device, browser and network bandwidth limitations as well as user preferences* (p 2, lines 1 – 2).

e. Neither Brobst et al. nor IBM explicitly teach **evaluating a degree of significance for each element; adding a result of the evaluation to the tree structure**.

f. However, Miyashita does teach that *in an importance detection part 210, the importance of each element composing a document is determined...In an arrangement adjusting part 240, the element arranged in each rectangular area is adjusted so that the element may be properly stored in each rectangular area by selecting an element for adjustment from the elements arranged in each rectangular area and performing adjustments by eliminating / deleting / dividing / reducing the part of the width of the element for adjustment, based on the importance for each element. Normally, the element with low importance is selected as the element for adjustment* (Constitution), compare with **evaluating a degree of significance for each element; adding a result of the evaluation to the tree structure**.

g. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Brobst et al. and IBM with that of Miyashita because such a combination would allow the users of Brobst et al. and IBM the benefit of *providing a document information display device arranging*

document information including characters, drawings and pictures, etc., within the limited area of a display device so that contents may be easy to be recognized and displaying the document information (Purpose).

9. **Regarding dependent claims 2 and 3**, Brobst et al. teach that *because apparatus 500 flattens many lined web pages into a single conglomerate web page, the standard print function supplied with any browser will print the conglomerate web page. The function of mechanisms 540-560 may best be understood with relation to the flow diagram of FIG. 6* (Column 6, lines 48 – 53), compare with **outputting said output document to an image outputting device or an image transmission device**, that **said image outputting device is a printing device or a display device, and said image transmission device is a facsimile device**.

10. **Regarding dependent claim 52**, Brobst et al. also teach that *according to the present invention, an apparatus and method for formatting a specified group of related web pages into a single web page is disclosed. A user defines a number of selected pages and associated relation criteria for each selected page. A formatting mechanism collects the URLs for the selected pages and those related pages based on the relation criteria and stores the URLs in a URL container. The formatting mechanism further invokes each web page associated to the URLs contained in the URL container and generates a conglomerate page. The conglomerate web page may include data insert into or referenced in one or more of the selected pages. The conglomerate web page may then be printed using a standard browser print function* (Column 1, line 66 – Column 2, line 12). Brobst et al. do not explicitly teach **selecting an element among**

said plurality of elements in a decreasing significance order. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to use the invention of Brobst et al. to provide for **selecting an element among said plurality of elements in a decreasing significance order and placing the selected element on said output document**, since Brobst et al. do teach that *the relation criteria is an important element in the formatting process because it defines the requisite association that must exist between a number of URLs to be deemed "related" URLs and therefore defines which pages to include in the flattened page* (Column 5, lines 33 – 37). Thus, the skilled artisan would be motivated to modify the invention so that the users retrieve only the information set by their criteria.

11. **Regarding dependent claims 53 and 54**, Brobst et al. teach that *suitable relation criteria for relating URLs include: whether or not the URLs are on the same web server; whether a specific search word appears in the web URLs search list; whether there is a link between the URLs; or whether the URLs have the same base address* (Column 6, lines 1 – 5), compare with **said evaluation unit evaluates the degree of significance for said each element included in said document information, based on significance defining information described in said document information**, and that **said evaluation unit evaluates the degree of significance for said each element included in said document information, based on a fixed significance-evaluating standard**.

12. **Regarding dependent claims 59 and 60**, Brobst et al. teach that *how these attributes are processed depends on the relation criteria specified by the user... the*

user may specify a relation criteria that includes all URLs that have the FOLLOW attribute, excludes those that have a NOFOLLOW attribute, and excludes those that have a SHOULDFOLLOW attribute. In yet another alternative, URLs with a FOLLOW or SHOULDFOLLOW attribute are included in the conglomerate web page while the URLs that have the NOFOLLOW attribute are expressly excluded (Column 10, lines 16 – 27), compare with **said process unit eliminates an element whose degree of significance is lower than a specific significance level** and that **said specific significance level differs with an attribute of said each element**.

13. **Regarding dependent claims 55 – 58**, Brobst et al. nor IBM explicitly teach **limits ... based on a predetermined page size and a predetermined number of pages of said output document**. However, Miyashita does teach that *in an importance detection part 210, the importance of each element composing a document is determined. In an element width calculation part 220, the height of each element is conformed to the height of a rectangular area, the width of each element according to the height is calculated and the width of a sentence element is adjusted so that the lengths of all the elements may be matched with the lengths of all rectangular areas. In an element temporary arranging part 230, each element is successively arranged on the column of a prescribed rectangular area in order. In an arrangement adjusting part 240, the element arranged in each rectangular area is adjusted so that the element may be properly stored in each rectangular area by selecting an element for adjustment from the elements arranged in each rectangular area and performing adjustments by eliminating/deleting/dividing/reducing the part of the width of the element for adjustment,*

based on the importance for each element. Normally, the element with low importance is selected as the element for adjustment (Constitution), compare with **said process unit limits the element to be placed on said output document, based on a predetermined page size and a predetermined number of pages of said output document, which are specified by output constraint information**, that **said process unit limits the element to be placed on said output document so that a total space occupied by said plurality of selected elements on said output document is less than or equal to a space limit determined by the page size and the number of pages**, that **said process unit continues selecting the element until said total space exceeds said space limit, and eliminates a most-recently selected element from said output document**, that **said process unit continues selecting the element until said total space exceeds said space limit, and reduces a size of at least a part of said plurality of selected elements so that said total space becomes less than or equal to said space limit**. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Brobst et al. and IBM with that of Miyashita because such a combination would allow the users of Brobst et al. and IBM the benefit of *providing a document information display device arranging document information including characters, drawings and pictures, etc., within the limited area of a display device so that contents may be easy to be recognized and displaying the document information* (Purpose).

14. **Regarding dependent claims 61 and 62**, neither Brobst et al., IBM, nor Miyashita explicitly teach **keeping a text element and eliminating a non-text**

element. However, Miyashita does teach that *in an arrangement adjusting part 240, the element arranged in each rectangular area is adjusted so that the element may be properly stored in each rectangular area by selecting an element for adjustment from the elements arranged in each rectangular area and performing adjustments by eliminating/deleting/dividing/reducing the part of the width of the element for adjustment, based on the importance for each element. Normally, the element with low importance is selected as the element for adjustment* (Constitution). The skilled artisan would be motivated to modify the combined invention of Brobst et al., IBM and Miyashita to provide that **the specific significance level of a non-text element is higher than that of a text element**, and that **said process unit keeps a text element, and eliminates a non-text element**, by providing the user with the option to set all of the non-text elements as having a higher or lower importance than the text elements in order to allow the user the option of a limited text or limited image conglomerate page because of the user's limited computing resources. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Brobst et al. and IBMwith that of Miyashita because such a combination would allow the users of Brobst et al. and IBM the benefit of *providing a document information display device arranging document information including characters, drawings and pictures, etc., within the limited area of a display device so that contents may be easy to be recognized and displaying the document information* (Purpose).

15. **Regarding dependent claims 63 and 64**, neither Brobst et al., IBM, nor Miyashita explicitly teach **compression method or rate**. However, Miyashita does

teach that *in an arrangement adjusting part 240, the element arranged in each rectangular area is adjusted so that the element may be properly stored in each rectangular area by selecting an element for adjustment from the elements arranged in each rectangular area and performing adjustments by eliminating/deleting/dividing/reducing the part of the width of the element for adjustment, based on the importance for each element. Normally, the element with low importance is selected as the element for adjustment* (Constitution). The skilled artisan would be motivated to modify the combined invention of Brobst et al., IBM and Miyashita to provide that **said process unit compresses a non-text element by using a compression method corresponding to the degree of significance of said non-text element**, and that **said process unit compresses a non-text element at a compression rate corresponding to the degree of significance of said non-text element**, since Miyashita teaches reducing and so that the skilled artisan can provide his users with a conglomerate page that a user with limited computing resources can output on his display without using a lot of memory. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Brobst et al. and IBM with that of Miyashita because such a combination would allow the users of Brobst et al. and IBM the benefit of *providing a document information display device arranging document information including characters, drawings and pictures, etc., within the limited area of a display device so that contents may be easy to be recognized and displaying the document information* (Purpose).

16. **Regarding dependent claim 65**, neither Brobst et al., IBM, nor Miyashita explicitly teach **first and significance level**. However, Brobst et al. do teach that *how these attributes are processed depends on the relation criteria specified by the user... the user may specify a relation criteria that includes all URLs that have the FOLLOW attribute, excludes those that have a NOFOLLOW attribute, and excludes those that have a SHOULDFOLLOW attribute. In yet another alternative, URLs with a FOLLOW or SHOULDFOLLOW attribute are included in the conglomerate web page while the URLs that have the NOFOLLOW attribute are expressly excluded* (Column 10, lines 16 – 27), and Miyashita does teach that *in an arrangement adjusting part 240, the element arranged in each rectangular area is adjusted so that the element may be properly stored in each rectangular area by selecting an element for adjustment from the elements arranged in each rectangular area and performing adjustments by eliminating/deleting/dividing/reducing the part of the width of the element for adjustment, based on the importance for each element. Normally, the element with low importance is selected as the element for adjustment* (Constitution). The skilled artisan would be motivated to modify the combined invention of Brobst et al., IBM and Miyashita to provide that **said process unit eliminates a text element whose degree of significance is lower than a first significance level, and compresses a non-text element whose degree of significance is lower than a second significance level**, since the skilled artisan can modify the combined invention to allow the user to set the text elements below the relation criteria to the *NOFOLLOW attribute* and the non-text elements below the relation criteria to the *SHOULDFOLLOW attribute* and compress

the non-text elements so as to provide the user with a conglomerate page that a user with limited computing resources can output on his display without using a lot of memory, and making the user not feel as if he has limited resources. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Brobst et al. and IBM with that of Miyashita because such a combination would allow the users of Brobst et al. and IBM the benefit of *providing a document information display device arranging document information including characters, drawings and pictures, etc., within the limited area of a display device so that contents may be easy to be recognized and displaying the document information* (Purpose).

17. **Regarding claims 66 – 83**, the claims incorporate substantially similar subject matter as claims 1 – 3, 52 – 65, and are rejected along the same rationale.

Response to Arguments

18. Applicant's arguments filed 11/23/05 have been fully considered but they are not persuasive.

19. In response to applicant's argument that *IBM fails to disclose or suggest the step of [***generating the output document by***] reducing an information content of the input document information according to the result added to the tree structure* (p 11, first full paragraph), a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

20. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

21. In response to applicant's argument that the information units handled in the two systems are so different that it is not understood how or why one would have attempted to modify one system in view of the other (p 11, last paragraph), the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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NH